

REMARKS

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 10-19 are pending in the application, with claim 10 being the only independent claim. Claims 10-19 have been added to more clearly point out and distinctly claim the subject matter. Descriptive support for the new claims is found in the specification as filed. These new claims are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Claim Rejections Under 35 U.S.C. § 112

The Examiner rejected claims 1-5 and 7-9 under 35 U.S.C. § 112 as allegedly failing to comply with the written description requirement. Upon cancellation of claims 1-5 and 7-9, this rejection is now moot. New claims 10-19 more clearly claim a first plurality of support assemblies that allow movement in a first and second direction and a second plurality of support assemblies that provides support in one of the first or second directions. Written description support for the claims added in this amendment can be found in the detailed description of figures 2, 3, and 4. Specific support for providing vertical support and horizontal movement along a vertical wall may be found in paragraph 0020 on page 6 of the specification.

Claim Rejections Under 35 U.S.C. § 102

The Examiner rejected claims 1-5, and 7-9 under 35 U.S.C. § 102(b) as allegedly having been anticipated by the Becker *et al.* patent (3,937,353). Upon cancellation of claims 1-5 and 7-9, this rejection is now moot. New claims 10-19 are, however, clearly patentable over the cited reference.

Initially, it must be appreciated that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single

prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The newly added claims now recite a first and second plurality of support assemblies. However, *Becker et al.* does not suggest or disclose, the claimed element of the first support structure connecting the first and second components and permitting relative sliding motion between the first and second components in a first direction and a second direction as presently claimed. *Becker et al.* does not point out each element of the claimed element of the first support structure and fails to suggest or disclose the claimed relationship between the first component, the first support structure, and the second component. In particular, newly added independent claim 10 claims the second component comprising a bracket arranged to receive a portion of the first support structure. *Becker et al.* does not suggest or disclose such a bracket or any portion of the first support structure received by the bracket.

Therefore, because *Becker et al.* neither teaches nor suggests each and every element of the present claims, *Becker et al.* does not anticipate the presently claimed invention or render it obvious. As such, the Applicants believe that claim 10 is now allowable over *Becker et al.* and likewise by their dependency, claims 11-19 are also allowable as being dependent from claim 10.

The Examiner also rejected claims 1-5, and 7-8 under 35 U.S.C. § 102(b) as allegedly having been anticipated by the *Cavanna et al.* patent (4,156,492). Upon cancellation of claims 1-5 and 7-9, this rejection is now moot. New claims 10-19 are, however, clearly patentable over the cited reference.

The newly added claims now recite a first and second plurality of support assemblies for a semi-membrane tank wall. However, *Cavanna et al.* does not suggest or disclose each and every element of the newly added independent claim 10. In particular, *Cavanna et al.* fails to disclose a first plurality allowing movement in a first and second direction and a second plurality allowing movement in only one of the first and second directions. *Cavanna et al.* only provides for one plurality of support assemblies. *Cavanna et al.* fails to disclose or fairly suggest a second plurality.

Referring to the rejection of claim 8, the Examiner suggested in the office action that Figure 5 and Figure 6 of Cavanna *et al.* teach both horizontal and vertical movement. It is unclear to the Applicant how the support assemblies identified in Cavanna *et al.* allow movement in the radial, axial and vertical directions. The Applicants respectfully submit that Cavanna *et al.* fails to teach or fairly suggest a first plurality allowing movement in a first and second direction and a second plurality allowing movement in one of the first or second directions.

Further, Cavanna *et al.* also fails to disclose each and every element of the claimed relationship between the first component, the first support structure, and the second component. In particular, independent claim 10 claims the second component comprising a bracket arranged to receive a portion of the first support structure. Cavanna *et al.* does not suggest or disclose such a bracket or any portion of the first support structure received by the bracket.

Therefore, because Cavanna *et al.* neither teaches nor suggests each and every element of the present claims, Cavanna *et al.* does not anticipate the claimed invention or render it obvious. As such, the Applicants believe that claim 10 is now allowable over Cavanna *et al.* and likewise by their dependency, claims 11-19 are also allowable as being dependent from claim 10.

The Examiner also rejected claims 1-5, and 8-9 under 35 U.S.C. § 102(b) as allegedly having been anticipated by the Alleaume patent (3,853,240). Upon cancellation of claims 1-5 and 7-9, this rejection is now moot. New claims 10-19 are, however, clearly patentable over the cited reference.

Alleaume does not disclose each and every element of the claims. Alleaume does not disclose a support structure with a groove for receiving a portion of the first component in the groove. Further, the independent claim 10 now also includes the second component having a bracket to receive a portion of the first support structure. Alleaume demonstrates that the apparatus described is quite different than that claimed in the instant application.

As with the other references, Alleaume fails to disclose a first plurality allowing movement in a first and second direction and a second plurality allowing movement in only one of the first and second directions. Alleaume only provides for one plurality of support assemblies. Notably, Alleaume fails to disclose or fairly suggest a second plurality of support

assemblies allowing for movement in only one of the first or second directions as now claimed in independent claim 10.

Therefore, because Alleaume neither teaches nor suggests each and every element of the present claims, Alleaume does not anticipate the claimed invention or render it obvious. As such, the Applicants believe that claim 10 is now allowable over Alleaume and likewise by their dependency, claims 11-19 are also allowable as being dependent from claim 10.

Therefore, the Becker *et al.* patent, the Cavanna *et al.* patent and the Alleaume patent, alone or in combination, do not anticipate or fairly suggest the invention as claimed in the independent claim 10. Applicants believe that claim 10 is now allowable as presented and, because dependent claims inherently include all the elements from claims from which they depend, the dependent claims 11-19 should also be allowable as being dependent from allowable claim 10.


CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Michael Bell at (202) 383-6500.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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